

EXHIBIT 198

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL.,	:	
	:	
PLAINTIFFS,	:	
vs.	:	DOCKET NUMBER
	:	1:17-CV-2989-AT
BRAD RAFFENSPERGER, ET AL.,	:	
	:	
DEFENDANTS.	:	

TRANSCRIPT OF TELEPHONE CONFERENCE PROCEEDINGS

BEFORE THE HONORABLE AMY TOTENBERG

UNITED STATES DISTRICT SENIOR JUDGE

SEPTEMBER 26, 2022

4:53 P.M.

MECHANICAL STENOGRAPHY OF PROCEEDINGS AND COMPUTER-AIDED

TRANSCRIPT PRODUCED BY:

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UNITED STATES DISTRICT COURT
OFFICIAL CERTIFIED TRANSCRIPT

1 Bryan, do you know whether -- I know you said you passed our
2 request on to your client and they said they weren't going to
3 replace those.

4 Do you know if that is something that they would
5 reconsider? I mean, I'm just thinking back to when the
6 replacement was done in June of last year. And what Mr. Barnes
7 testified was that they were able to replace the EMS server and
8 the ICC in a single day. They showed up and had replacements
9 on hand.

10 So it sounds like it is a very simple process that
11 can be done really quickly. That would seem to be the safer
12 path forward.

13 MR. TYSON: And this is Bryan Tyson.

14 David, I don't know if they are willing to reconsider
15 that or not. I think there is a lot of pieces involved with
16 kind of the excess inventory and those types of things. So I
17 think it is a little bit more complicated than just it only
18 takes a day.

19 I think there are other pieces that they have to go
20 through. But I have not asked that question and don't know
21 what their -- how hard and fast they are on that.

22 THE COURT: Well, I can't order it. I would say it
23 does seem it might be prudent. But that is up to you-all at
24 this point. I mean, I'm not just -- it seems like it would be
25 prudent.

1 You are going to be scanning the equipment that you
2 have just collected; right? Is that right?

3 MR. TYSON: Your Honor, I -- I'm sorry. This is
4 Bryan Tyson.

5 That is my expectation. That since this is going to
6 be part of that active investigation by the GBI, whether
7 something was installed on those components is going to be a
8 really important question to answer. But I don't know kind of
9 logistically how, when, where, like what sequencing in the
10 process that will be.

11 THE COURT: And have plaintiffs asked for an image of
12 those images or not, or you don't need them because you have
13 the server?

14 MR. CROSS: This is David. We have not yet, Your
15 Honor. We learned about this on Friday and had not had a
16 chance to really consult internally ourselves or with our
17 experts. So I don't know yet what -- there is obviously a lot
18 of equipment there.

19 I will say speaking for myself, I don't think we
20 would ask to image everything. Just looking at the photos
21 alone from the Maggio production, there are a lot of flash
22 drives and thumb drives, compact drives and so forth. But it
23 may make sense if we did like a sample of a few things.

24 One in particular I know that our experts have been
25 concerned about -- one of the things that was imaged was the

C E R T I F I C A T E

UNITED STATES OF AMERICA

NORTHERN DISTRICT OF GEORGIA

I, SHANNON R. WELCH, RMR, CRR, Official Court Reporter of the United States District Court, for the Northern District of Georgia, Atlanta Division, do hereby certify that the foregoing 21 pages constitute a true transcript of proceedings had before the said Court, held in the City of Atlanta, Georgia, in the matter therein stated.

In testimony whereof, I hereunto set my hand on this, the 28th day of September, 2022.

Shannon R. Welch

SHANNON R. WELCH, RMR, CRR
OFFICIAL COURT REPORTER
UNITED STATES DISTRICT COURT

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